



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/133,960	08/14/1998	RAJIV V. JOSHI	YO998-195-(7)	7273
46069	7590	10/16/2008	EXAMINER	
F. CHAU & ASSOCIATES, LLC 130 WOODBURY ROAD WOODBURY, NY 11797				HUYNH, SON P
ART UNIT		PAPER NUMBER		
2424				
MAIL DATE		DELIVERY MODE		
10/16/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

---

*Ex parte:* RAJIV JOSHI and SUCHITRA JOSHI

---

Application No. 09/133,960  
Technology Center 2600

---

Mailed: October 16, 2008

---

Before KRISTA ZELE *Deputy Chief Appeals Administrator*  
ZELE, *Deputy Chief Appeals Administrator.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on July 14, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

**APPEAL BRIEF, ARGUMENTS**

A review of the file finds that the arguments with respect to each grounds of rejection as provided in the Appeal Brief filed September 5, 2007 under the heading “Argument” has not been clearly provided. Each grounds of rejection must be treated under a separate heading in accordance with 37 CFR 41.37(c)(1)(vii). Any claim argued separately should be placed under a subheading identifying the claim by number. Claims argued as a group should be placed under a subheading identifying the claims by number.

Appellant has not provided the necessary headings and/or subheadings for arguments which correspond to each grounds of rejection. *See also Manual of Patent Examining Procedure (MPEP) § 1205.02 (8<sup>th</sup> ed. Rev. 6, Sept 2007)* for details.

**CONCLUSION**

Accordingly, it is

ORDERED that the application is returned to the Examiner to:

- 1) hold the Appeal Brief filed on September 5, 2007 defective;
- 2) notify Appellant to file a paper properly presenting the arguments for each grounds of rejection as required; and
- 3) for such further action as may be appropriate.

Application No. 09/133,960

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

KZ/tsj

F. CHAU & ASSOCIATES, LLC  
130 WOODBURY ROAD  
WOODBURY, NY 11797